



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert Hornung) Examiner: **Christy Green**
Application No.: **10/739,886**)
Filed: **December 17, 2003**) Art Unit: **3635**
For: **WINDOW SASH FRAME WITH HINGED**) Date of Notice of
COMPONENTS) Allowance: **March 30, 2005**

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
June 16, 2005.

By: *Carol Prentice*
Carol Prentice

PAYMENT OF ISSUE FEE

Dear Sir:

Enclosed please find a check in the amount of \$1,730 for payment of the Issue Fee, Publication Fee and ten advance order copies in the above-referenced application.

The Issue Fee Transmittal form PTOL-85B and Comments on Examiner's Statement of Reasons for Allowance are also enclosed.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Respectfully submitted,

Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
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Attorney Docket No.: IND-114.1
Date: June 16, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert Hornung

Serial No.: 10/739,886

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Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

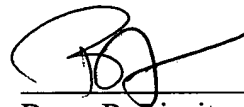
This communication is filed pursuant to 37 C.F.R. 1.104(e) ("Reasons for Allowance"), and is in response to the Examiner's Statement of Reasons for the Allowance which accompanied the Notice of Allowance dated March 30, 2005.

Applicant notes that the Examiner paraphrased claim 1 in the Statement of Reasons for Allowance. Insofar as the Examiner's language differs from that of the claim, Applicant points out that it is the claim language itself, and not the Examiner's restatement thereof, that is considered to define the invention. Moreover, the Examiner's restatement of claim 1 incorrectly states that the hinged component is "hingedly attached to the inner facing frame surface or the

first and second pane.” The claim, however, indicates that the hinged components are hingedly attached to at least one of: (i) the respective glazing pane mounting surface, (ii) said inner facing frame surface.

Date: **June 16, 2005**
ATTORNEY DOCKET NO.: IND-114.1

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Barry R. Lipsitz", written over a horizontal line.

Barry R. Lipsitz
Attorney for Applicant(s)
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